

Exhibit 3

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**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

20 I, Brittne Snyder, declare pursuant to 28 U.S.C. § 1746 based upon my personal
21 knowledge as follows:

22 1. I am over 21 years of age and am legally fit and qualified to testify in a court of
23 law.

24 2. I am employed as a Paralegal by the Division of Enforcement (“Division”) of the
25 Commodity Futures Trading Commission (“Commission”), located at 2600 Grand Boulevard,
26 Suite 210, Kansas City, Missouri 64108.

1 3. I have reviewed tweets from the Ooki DAO's Twitter handle (@OokiTrade) and
 2 identified the following tweets:

3 a. A December 27, 2021 Ooki DAO tweet depicting an Ooki DAO video
 4 advertisement playing in Times Square in New York City.

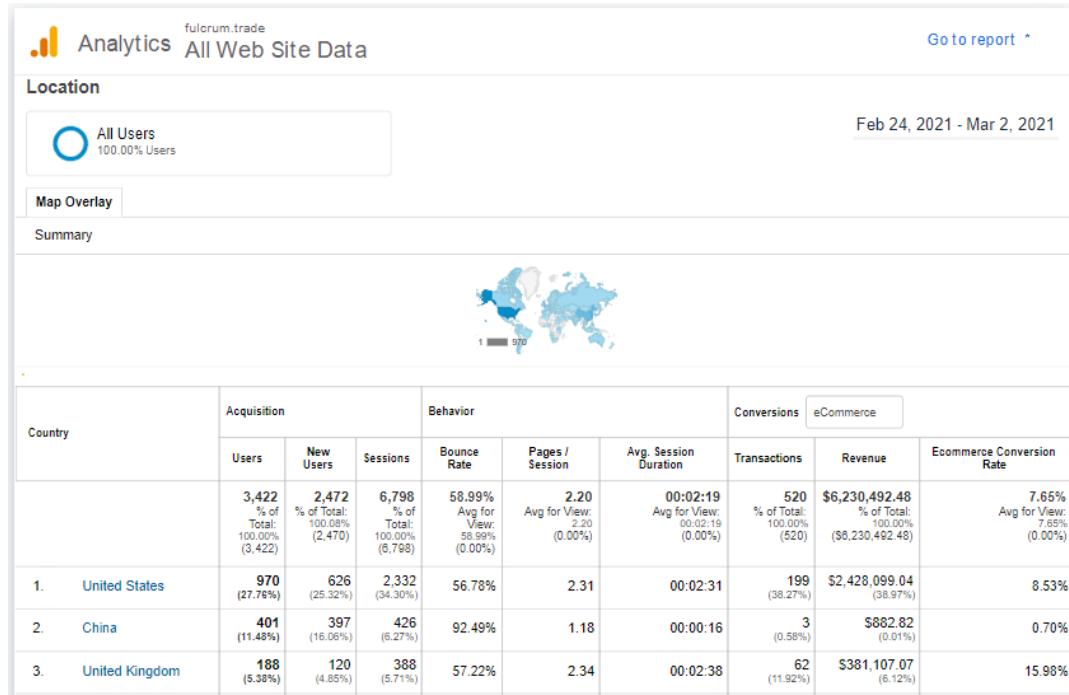


5
 6 b. Similarly, a September 1, 2022 Ooki DAO tweet stating "ICYMI... Ooki
 7 billboards at Time Square, NY. Where should we go next?" and embedding
 8 another Ooki DAO video advertisement playing in Times Square soliciting
 9 members of the public to visit ooki.com.



10 4. In response to a document request from the CFTC for "[d]ocuments sufficient to
 11 identify the geographic breakdown of bZx's customer base—specifically, the volume of U.S.

versus non-U.S. customers," bZeroX, LLC, Tom Bean, and Kyle Kistner produced to the CFTC a document reflecting that, from February 24 to March 2, 2021, over 27% of the bZx Protocol's users and over 38% of its transaction volume came from the United States:



I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed June 2, 2023, at Kansas City, Missouri.

/s/ Brittne Snyder
Brittne Snyder